

CHAPTER 1 Introduction

The proposed project site is located at 18502 and 18508–18552 Beach Boulevard, on the southeast corner of Beach Boulevard and Ellis Avenue, in the City of Huntington Beach in western Orange County, California. The project site is identified as Town Center Neighborhood within the Five Points District Segment of the Beach and Edinger Corridors Specific Plan (BECSP) adopted in March 2010.

The Initial Study/Notice of Preparation (IS/NOP) prepared for the BECSP Program EIR identified four individual projects that would also be analyzed within the BECSP EIR. However, subsequent to the IS/NOP, it was determined that those projects would be analyzed separately from the Specific Plan so as to allow the public and decision-makers adequate time to review each project. The proposed project represents one of the four individual projects identified in the IS/NOP.

1.1 BACKGROUND

The proposed project site consists of two parcels totaling 119,236 square feet (sf) of lot area (approximately 2.74 acres). At the immediate southeast corner of Beach Boulevard and Ellis Avenue, the site is occupied by a Shell Gas Station that includes a 1,678 sf building and two bays. The remainder of the project site is occupied by approximately 22,080 sf retail and restaurant uses and approximately 4,026 sf of office uses. Office, retail and some restaurant uses are located within the Town and Country Plaza, a two-story, L-shaped, multi-tenant shopping center, set back into the southeast corner of the project site. The Town and Country Plaza contains a dental office, dry cleaner, bar/lounge, and other retail uses. A stand-alone restaurant located on Beach Boulevard contains the remainder of the existing restaurant uses.

The proposed project site has a General Plan Land Use designation of Mixed Use-Specific Plan-Design Overlay (M-sp-d). The M-sp-d designation permits a range of commercial and multi-family residential uses. The exact density, location and mix of uses permitted in this designation is governed by a Specific Plan (“-sp”), allowing for greater design flexibility and to address the uniqueness of a particular area. The project site is zoned as Specific Plan 14 or SP-14, which is the BECSP adopted in March 2010. The project site is designated as Town Center-Neighborhood located within the Five Points District segment of the BECSP. Development would be subject to the BECSP’s Development Code for the Town Center Neighborhood designation, as applicable.

The proposed project would result in a six-story mixed-use development consisting of retail and residential uses. Levels one and two of the proposed project would house the commercial component, including an approximately 30,000 sf market use, approximately 7,000 sf of retail shops, and retail parking. Additionally, approximately 1,850 sf of public open space will be provided for the retail uses at street level, located at the corner of Beach Boulevard and Ellis Avenue. Parking for the residential portion of the proposed project would be provided on Level three. Levels four through six would include 105 residential units and 10,500 sf of open space for residential use. The proposed project would result in the construction of approximately 37,000 sf of retail uses, 105 residential units, and 483 parking

spaces (220 retail and 263 residential parking spaces). All parking would be accessible from driveways located on Beach Boulevard and Ellis Avenue.

Vehicular access to the project site would be available from one driveway on Beach Boulevard, one driveway along Ellis Avenue, and the existing private alleyway that bounds the east side of the project site, all leading directly into the proposed parking structure. Level one would provide 109 parking spaces and Level two would provide 111 parking stalls, both levels intended for retail uses. Level three would provide 263 parking stalls intended exclusively for residential uses. Both pedestrian and vehicular circulation would be provided throughout the parking structure to the retail and residential portions. Access for delivery trucks would be provided from a shared access driveway to the east of the proposed project site.

As discussed above, the proposed project site was contemplated in the IS/NOP prepared for the BECSP EIR (July 2008). For the proposed project site, a project consisting of 120 residential dwelling units, and a commercial component, totaling 71,000 sf of retail uses and a two-level health club was identified in the BECSP IS/NOP. The project, as proposed, is 15 dwelling units and 34,000 sf of commercial space less than the project contemplated for the project site in the IS/NOP. The proposed project is well within the approved number of dwelling units in the BECSP. Further, the proposed project is the third project to be analyzed on a project specific level and would therefore, not exceed the total number of units allowed by the BECSP.

1.2 PURPOSE AND LEGAL AUTHORITY

The proposed project is subject to the requirements of CEQA. In accordance with Section 15121(a) of the CEQA Guidelines, the purpose of this EIR is to serve as an informational document that:

... will inform public agency decision-makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.

The City prepared a Program EIR for the BECSP, and the Final Program EIR was certified by the City of Huntington Beach in December 2009. Although this document is organized in such a manner as to be a thorough project-level analysis, where appropriate, information is supplementary to or tiered from the BECSP Program EIR. This Draft EIR incorporates by reference the BECSP EIR. However, for each issue area requiring analysis, a full, project-level analysis has been prepared. Further, the applicable mitigation measures, including design, construction, and Best Management Practices, adopted by the City as part of the BECSP EIR are included in this Draft EIR, in addition to project-specific mitigation, where appropriate. This Draft EIR also applies the thresholds of significance recommended in the BECSP EIR to determine the level of significance of project-specific environmental effects. A typical example of a tier analysis would be a project-specific EIR that addresses a specific development project that was generally identified in a previously prepared programmatic EIR (i.e., a General Plan EIR), such as the proposed project. As explained in CEQA Guidelines Section 15152(a):

“Tiering” refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

In essence, tiering allows for the preparation of environmental documents using a multi-level approach where the first tier includes analysis of general matters contained in a broader EIR (e.g., analyzing the impacts of an entire plan, program, or policy) and subsequent tiers include analysis of narrower projects with later EIRs (incorporating by reference the general discussions from the broader EIR and focusing only on the impacts of individual projects that implement the plan, program, or policy). As explained in CEQA Guidelines Section 15152(b):

This approach can eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy, or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration.

As explained in CEQA Guidelines Section 15152(f), when a document is tiered from an earlier EIR:

[a] later EIR shall be required when the initial study or other analysis finds that the later project may cause significant effects on the environment that were not adequately addressed in the prior EIR. A negative declaration shall be required when the provisions of Section 15070 are met.

This report serves as an informational document for the public and the City of Huntington Beach decision-makers. The process will culminate with a City hearing to consider certification of a Final EIR (FEIR).

1.3 EIR REVIEW PROCESS

This EIR has been prepared to meet all of the substantive and procedural requirements of CEQA (California Public Resources Code [PRC] Sections 21000 et seq.), as amended; California CEQA Guidelines (California Code Regulations Title 14, Sections 15000 et seq.); and the rules, regulations and procedures for the implementation of CEQA as executed by the City of Huntington Beach. Accordingly, the City of Huntington Beach has been identified as the Lead Agency for this project, taking primary responsibility for conducting the environmental review process and approving or denying the project.

As a first step in complying with the procedural requirements of CEQA, the City filed a Notice of Preparation (NOP) with the California Office of Planning and Research as an indication that an EIR would be prepared for the BECSP, of which the project was then a part. The NOP for the BECSP EIR was distributed in July 28, 2008, to involved public agencies and interested parties for a 30-day public review period. A scoping meeting was held on August 21, 2008. The purpose of the public review period, including the scoping meeting, was to solicit comments on the scope and content of the environmental analysis to be included in the BECSP EIR. The proposed project site was identified in the NOP for the BECSP as one of four individual projects that would be analyzed under the BECSP EIR. Subsequent to the IS/NOP it was determined that the individual projects would be analyzed separately from the BECSP EIR. However, the project as proposed today, and analyzed in this Draft EIR, is substantially consistent with that published in the NOP for the BECSP EIR.

During preparation of the BECSP EIR, agencies, organizations, and persons that the City believed might have an interest in the proposed project were specifically contacted. Information, data, and observations from these contacts are included in the EIR. Agencies or interested persons who did not respond during

the public review period of the NOP are not precluded from commenting on the proposed project Draft EIR, or participating in public meetings on the proposed project.

This EIR or a notice of availability of this EIR for public review has been distributed to agencies that have commented on the BECSP NOP and BECSP Program EIR, as well as surrounding cities, property owners, tenants, and interested parties for a 45-day public review period beginning on September 9, 2011, and concluding October 24, 2011, in accordance with Section 15087 of the CEQA Guidelines. During the 45-day public review period, the EIR is available for review at the following locations:

City of Huntington Beach
Planning and Building Department
2000 Main Street
Huntington Beach, CA 92648

City of Huntington Beach
City Clerk's Office
2000 Main Street
Huntington Beach, CA 92648

Central Library and Cultural Center
7111 Talbert Avenue
Huntington Beach, CA 92648

View and download the documents online at:
www.huntingtonbeachca.gov

Navigate to:
<http://www.huntingtonbeachca.gov/Government/Departments/Planning/major/>

All documents incorporated by reference in this EIR are available for review at the City.

Written comments on the proposed project Draft EIR should be addressed to:

Rosemary Medel, Associate Planner
City of Huntington Beach
Department of Planning and Building
2000 Main Street
Huntington Beach, CA 92648

Upon completion of the 45-day public review period, written responses to all significant comments raised with respect to environmental issues discussed in the Draft EIR will be prepared and incorporated into the FEIR. Furthermore, written responses to comments received from any state agencies will be made available to these agencies at least 10 days prior to the public hearing during which certification of the FEIR will be considered. These comments, and their responses, will be included in the FEIR for consideration by the City Council, as well as any other public decision-makers.

According to PRC Section 21081, the Lead Agency must make specific Findings of Fact (Findings) before approving a project, when the EIR identifies significant environmental impacts that may result from a project. The purpose of the Findings is to establish the link between the contents of the FEIR

and the action of the Lead Agency with regard to approval or rejection of the proposed project. Prior to approval of a project, one of three findings must be made, as follows:

- Changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect as identified in the FEIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR.

Additionally, according to PRC Section 21081.6, for projects in which significant impacts will be avoided by mitigation measures, the Lead Agency must include a mitigation monitoring and reporting program (MMRP). The purpose of the MMRP is to ensure compliance with required mitigation during implementation of the project.

However, environmental impacts may not always be mitigated to a less than significant level. When this occurs, impacts are considered significant and unavoidable. If a public agency approves a project that has significant and unavoidable impacts, the agency shall state in writing the specific reasons for approving the project, based on the FEIR and any other information in the public record. This is termed “Statement of Overriding Considerations” and is used to explain the specific reasons why the benefits of a proposed project make its unavoidable environmental effects acceptable. The statement is prepared, if required, after the FEIR has been completed, yet before action to approve the project has been taken.

1.4 EIR ADEQUACY

The level of detail contained throughout this EIR is consistent with the CEQA Guidelines (Section 15151) and recent court decisions, which provide the standard of adequacy on which this document is based. The Guidelines state as follows:

An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information, which enables them to make a decision, which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.

1.5 SCOPE OF THE EIR

The proposed project site is designated as Town Center Neighborhood within the Five Points District Segment of the BECSP area. The extent and intensity of all anticipated development activity within the BECSP area, including the proposed project, has been identified in the BECSP and analyzed at a programmatic level in the certified program-level Environmental Impact Report No. 08-008 for the BECSP. As part of the program EIR a traffic study, noise study, air quality study, and utilities analysis, including a Water Supply assessment was completed. The Program EIR also evaluated land use, aesthetics, biological resources, cultural resources, geology and soils, hydrology and water quality,

population and housing, public services, recreation and hazards and hazardous materials. Mitigation measures identified in the Program EIR required to mitigate potentially significant impacts associated with future development were incorporated into the BECSP as Appendix A and are a requirement of all development projects within the BECSP area.

As the proposed project is located within the BECSP area (plan area), proposed development is required to be consistent with the BECSP, including the maximum amount of new development established in Section 2.1.1 of the BECSP, and be reasonably within the scope of the Program EIR. In order to obtain approval of the proposed project, consistency with the BECSP Program EIR must be demonstrated. For certain issues areas of the EIR, components of the proposed project are substantially similar to what was analyzed in the BECSP EIR and do not require substantial additional analysis. However, other issue areas require supplementary analysis, as changes relating to those issues areas have occurred or were not analyzed sufficiently on a project level in the BECSP EIR.

Based on a preliminary environmental analysis of the proposed project prepared prior to commencement of this EIR, and a review of the BECSP EIR, it was determined that with implementation of the required mitigation measures substantial additional analysis was not needed for the following resource areas:

- Biological Resources
- Cultural Resources
- Geology/Soils
- Hazards and Hazardous Materials
- Hydrology/Water Quality
- Land Use/Planning
- Population/Housing
- Climate Change

Each of these resource areas has a stand-alone section that includes a discussion of the current environmental setting, the proposed project and its relationship to the BECSP, where applicable; a discussion of consistency with the environmental analysis prepared for the BECSP, where applicable; any new information or analysis pertinent to the current analysis and identification of impacts; identification of mitigation measures required to address potential impacts of the proposed project; and significance conclusions regarding the proposed project after mitigation incorporation. Mitigation measures include applicable measures from the BECSP EIR as well as any new or additional mitigation measures required to reduce potential impacts. All impacts are considered to be less than significant with incorporation of mitigation.

The following resources were determined to need substantial additional project-level analysis for at least one of the following reasons: even with implementation of the required BECSP mitigation measures, potentially significant impacts would occur, or the proposed project was not sufficiently analyzed on a project-level in the BECSP EIR. Detailed analysis of the following resource areas is provided for in Chapter 4:

- Aesthetics
- Air Quality
- Noise
- Public Services

- Recreation
- Transportation/Traffic
- Utilities/Service Systems

No impacts to Agricultural Resources and Mineral Resources were determined. No further analysis of these issues areas is provided in this document.

In preparing the EIR, pertinent city policies and guidelines, existing EIRs, and background documents prepared by the City were all evaluated for their applicability to the proposed project. A list of references is provided at the end of each issue area section in Chapter 4.

1.6 INTENDED USES OF THE EIR

As previously mentioned, this EIR is intended to provide decision-makers and the public with information that enables them to consider the environmental consequences of the proposed project. EIRs not only identify significant or potentially significant environmental effects, but also identify ways in which those impacts can be reduced to less than significant levels, whether through the imposition of mitigation measures or through the implementation of specific alternatives to the project. In a practical sense, EIRs function as a technique for fact-finding, allowing an applicant, concerned citizens, and agency staff an opportunity to collectively review and evaluate baseline conditions and project impacts through a process of full disclosure.

To gain the most value from this report, certain key points should be kept in mind:

- This report should be used as a tool to give the reader an overview of the possible ramifications of the proposed project.
- A specific environmental impact is not necessarily irreversible or permanent. Most impacts, particularly in urban, more developed areas, can be wholly or partially mitigated by incorporating conditions of approval and/or changes recommended in this report during the design and construction phases of project development.
- This report, while a summary of facts, reflects the professional judgment of the authors. The EIR was prepared by consultants retained by the City and by City staff, and was subject to the independent review and judgment of the City. The City independently reviewed and analyzed the EIR for the proposed project, and the EIR reflects the independent judgment of the City.

1.7 DOCUMENT ORGANIZATION

To help the reader locate information of particular interest, a brief summary of the contents of each chapter of the EIR is provided. The contents include the following:

- **Chapter 1: Introduction**—This section provides an overview of the background of the proposed project, the environmental process, and document organization.
- **Chapter 2: Executive Summary**—This section summarizes the characteristics of the proposed project, the environmental impacts, mitigation measures, and residual impacts with the proposed project.

- **Chapter 3: Project Description**—This section includes the location and boundaries of the proposed project; project objectives; a general description of technical, economic, and environmental characteristics; and intended uses of the EIR.
- **Chapter 4: Environmental Impact Analysis**—This section describes and evaluates the environmental issue areas, including the existing environmental setting, applicable environmental thresholds, environmental impacts (short term, long term, direct, and indirect), policy considerations related to the particular environmental issue area under analysis, and feasible mitigation measures capable of minimizing environmental harm.
- **Chapter 5: Other CEQA Considerations**—This section provides a summary of the proposed project's potential to lead to population growth and the indirect implications of that growth on the City; summarizes the discussion of cumulative impacts, provides a list of proposed project impacts that are significant and unavoidable by issue area; and identifies the irreversible changes to the natural environment resulting from the proposed project.
- **Chapter 6: Alternatives to the Proposed Project**—This section describes alternatives to the proposed project that would feasibly attain most of the basic objectives of the project while avoiding or substantially lessening any of its significant effects. The analysis evaluates the environmental effects that would result from each alternative and compares the effects to those identified for the proposed project.
- **Chapter 7: List of EIR Preparers**—This section identifies all individuals responsible for the preparation of this report.

1.8 AREAS OF CONTROVERSY TO BE RESOLVED

The discussion of environmental effects, mitigation measures, and alternatives, as summarized in Table 2-1 (Summary of Environmental Effects and Code Requirements/ Mitigation Measures), and evaluated in detail in this EIR, constitutes the identification of issues to be resolved and areas of controversy, as required for compliance with Section 15123(b)(3) of the CEQA Guidelines.

1.9 LIST OF ABBREVIATIONS

The following comprehensive list of abbreviations is provided to clarify references used in this EIR.

Table 1-1 Acronyms and Abbreviations	
<i>Acronym or Abbreviation</i>	<i>Definition</i>
°F	degrees Fahrenheit
AB	Assembly Bill
ADT	average daily traffic
ADT	average daily trips
AFY	acre-feet per year
AG	Attorney General
ANSI	American National Standards Institute
APN	Assessor Parcel Number
AQMP	air quality management plan

Table 1-1 Acronyms and Abbreviations	
<i>Acronym or Abbreviation</i>	<i>Definition</i>
A-weighted decibel scale	dBA
Basin	South Coast Air Basin
BEA	basin equity assessment
BECSP	Beach and Edinger Corridors Specific Plan
BFE	base flood elevation
BMP	best management practice
BPP	basin pumping percentage
California ARB	California Air Resources Board
Cal/OSHA	California Occupational Safety and Health Administration
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CBC	California Building Code
CCAA	California Clean Air Act
CCAT	California Climate Action Team
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
CIWMB	California Integrated Waste Management Board
CIWMP	Countywide Integrated Waste Management Plan
CMA	Congestion Management Agency
CMP	congestion management plan
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CNPS	California Native Plant Society
CO	carbon monoxide
CO ₂	carbon dioxide
COHb	carboxyhemoglobin
CR	Code requirement
CRA	Colorado River Aqueduct
DAMP	drainage area management plan
dB	decibel
DEIR	draft environmental impact report

Table 1-1 Acronyms and Abbreviations	
<i>Acronym or Abbreviation</i>	<i>Definition</i>
Delta	Sacramento-San Joaquin Bay Delta
DHS	Department of Health Services
DOF	Department of Finance
DPR	Department of Parks and Recreation
du	dwelling unit
DWR	Department of Water Resources
EIR	environmental impact report
EOC	emergency operations center
EPA	Environmental Protection Agency
ESA	environmental site assessment
FEIR	final environmental impact report
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FVSD	Fountain Valley School District
FY	fiscal year
GHG	greenhouse gas
GMP	groundwater management plan
HBFD	Huntington Beach Fire Department
HBPD	Huntington Beach Police Department
HBTM	Huntington Beach Traffic Model
HBUHSD	Huntington Beach Union High School District
HCM	Highway Capacity Manual
HOV	high-occupancy vehicle
HUD	Housing and Urban Development
HVAC	heating, ventilation, and air conditioning
I-405	Interstate 405
ICU	intersection utilization capacity
IPCC	Intergovernmental Panel on Climate Change
IS	initial study
IWMD	Integrated Waste Management Department
LIP	local implementation plan
LOS	level of service
LST	localized significance threshold
LTS	less than significant

Table 1-1 Acronyms and Abbreviations	
<i>Acronym or Abbreviation</i>	<i>Definition</i>
M	Richter magnitude
MAND	maximum amount of net new development
MG	million gallons
mgd	million gallons per day
MMRP	mitigation monitoring and reporting plan
MPD	master plan of drainage
MRF	materials recovery facility
M-sp-d	Mixed Use-Specific Plan Overlay-Design Overlay
MW	moment magnitude
MWDOC	Municipal Water District of Orange County
NAHC	Native American Heritage Commission
NO ₂	nitrogen dioxide
NOP	notice of preparation
NPDES	National Pollution Discharge Elimination System
O ₃	ozone
OA	operational area
OCSD	Orange County Sanitation District
OCTA	Orange County Transportation Authority
OVSD	Ocean View School District
Pb	lead
PCH	Pacific Coast Highway
PHGA	peak horizontal ground accelerations
PM ₁₀	respirable particulate matter
PM _{2.5}	fine particulate matter
pph	persons per household
ppm	parts per million
PRC	Public Resource Code
PS	potentially significant
PSHA	Probabilistic Seismic Hazard Analysis
PUC	Public Utilities Commission
RCPG	Regional Comprehensive Plan and Guide
RCRA	Resource Conservation Recovery Act
RELOOC	Regional Landfill Options for Orange County
ROW	right-of-way
SARWQCB	Santa Ana Regional Water Quality Control Board

Table 1-1 Acronyms and Abbreviations	
<i>Acronym or Abbreviation</i>	<i>Definition</i>
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SCGC	Southern California Gas Company
SEMS	California Standardized Emergency Management System
sf	square foot
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SO ₄	sulfate
SO _x	sulfur oxides
SP	specific plan
SP-14	Specific Plan 14, Beach and Edinger Corridors Specific Plan
SRA	source receptor area
SRRE	Source Reduction and Recycling Element
SU	significant and unavoidable
SWP	State Water Project
TACs	toxic air contaminates
TDM	Transportation Demand Management
TIA	traffic impact analysis
TPH	total petroleum hydrocarbons
TSCA	Toxic Substances Control Act
UPRR	Union Pacific Railroad
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UST	Underground Storage Tank
UWMP	Urban Water Management Plans
V/C	vehicle capacity
Vibration Decibels	VdB
VMT	vehicle miles traveled
VOCs	volatile organic compounds
WDR	waste discharge requirement
WOCWB	West Orange County Water Board
WQMP	water quality management plan

Table 1-1 Acronyms and Abbreviations	
<i>Acronym or Abbreviation</i>	<i>Definition</i>
WSA	water supply assessment
WSAP	water supply allocation plan
WSD	Westminster School District

